

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 14774 of 2005

Between:

Meer Firoz Ali Khan S/o. Meer Rahath Ali
R/o. 18-14-155/C, G.M.Nagar, Pisal Banda Kanchanbagh
Hyderabad.

..... PETITIONER

AND

- 1 The District Collector R.R.District
Lakdikapool Hyderabad.
- 2 The Revenue Divisional Officer
Malakunta Gosha Mahal
Hyderabad.
- 3 Mandal Revenue Officer
Hayathnagar R.R.District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of writ of mandamus, declaring the action of the respondents in not passing any orders on the representation of the petitioner dt.02-02-2002 for insuance of pattadar pass books in favour of the petitioner to an extent of Ac.10.00cents in Sy.No.106 of Tatti Annaram Village, Hayathnagar Mandal, R.R.District, as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to issue pattadar pass books forthwith.

Counsel for the Petitioner: MR. A.V. SWAMY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

Aggrieved by the inaction of the respondents in not passing any orders on the representation of the petitioner, dated 02-02-2002, for issuance of pattadar pass books in favour of the petitioner in respect of the land admeasuring Acs.10.00 in Survey No.106 of Tatti Annaram Village, Hayathnagar Mandal, R.R. District, as illegal, arbitrary and violative of principles of natural justice, this writ petition is filed seeking direction to the respondents to issue pattadar pass books forthwith.

The case of the petitioner is that his father late Meer Rahath Ali was cultivating the land admeasuring Ac. 10.00 cts in Sy.NO.106 of Thatti Annaram Village, Hayathnagar Mandal, Rangareddy District and paying the taxes to the authorities concerned and his father was expired on 07.01.2001 leaving behind the petitioner's family. The main grievance of the petitioner is that he submitted the representation, dated 02.02.2002, to the 1st respondent and also sent the same to respondents 2 & 3 for issuance of pattadar pass book, but the revenue officials did not consider the same.

It is submitted that the family members of the petitioner have been in continuous possession and enjoyment of the land in dispute by cultivating the same from the date of his forefathers, therefore he is entitled to grant pattadar pass book in his favour, but the respondents are not considering his representation, therefore he is suffering irreparable loss.

In the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to dispose of the writ petition directing the respondents to consider the representation, dated 02-02-2002, made by the petitioner, by giving a

reasonable opportunity of being heard to the effected parties, and pass appropriate orders, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order and communicated the same to the petitioner within two weeks thereafter.

E.DHARMA RAO, J

Date:08.07.2005

MRKR

To

- 1 The District Collector R.R.District
Lakdikapool Hyderabad.
- 2 The Revenue Divisional Officer
Malakunta Gosha Mahal
Hyderabad.
- 3 Mandal Revenue Officer
Hayathnagar R.R.District.
- 4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,
Hyderabad.
- 5 Two C.D.copies.